



FOR IMMEDIATE RELEASE
Friday, October 28, 2005

*Office of the United States Attorney
District of Arizona*

For Information Contact Public Affairs
SANDY RAYNOR
Telephone: (602) 514-7625
Cell: (602) 525-2681

FORMER TRIBAL JUDGE PLEADS GUILTY TO THEFT CHARGES

PHOENIX -- Darlina C. Mercado, 43, of Sacaton, Ariz., a member of the Gila River Indian Community and a former Tribal Court Associate Judge, pleaded guilty in federal district court in Phoenix to a felony offense of Theft from an Indian Tribal Organization. Sentencing is set before Judge Neil V. Wake on January 23, 2005.

U.S. Attorney Paul K. Charlton stated, "Individuals who serve as public officials should be held to a higher standard in their official life as well as their personal life. Those who fail to do so will be held appropriately accountable for their misconduct."

Mercado had been charged with three counts of Theft from an Indian Tribal Organization. In a plea agreement with the government, Mercado admitted that during 2000 and 2001 she received Gila River Indian Community Education Scholarship money that paid subsistence allowances to students in good standing enrolled at the University of Phoenix. The illegal subsistence awards, in a total amount of \$36,180, were received by Mercado when she was not enrolled in any courses at the University of Phoenix. According to documents filed with the court, Mercado had at other times enrolled in the same course six times but never attended any classroom sessions. The scholarship requests were approved by the tribe's Education Committee upon the representation by Jacqueline Boni, the former Director of the Student Services Office, that Mercado was eligible for the scholarship funds. Boni is separately charged with similar offenses and is currently pending trial.

A conviction for Theft from an Indian Tribal Organization carries a maximum penalty of five years in prison, a \$250,000 fine or both. In determining an actual sentence, Judge Wake will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

The investigation in this case was conducted by the FBI. The prosecution is being handled by Richard I. Mesh, Assistant U.S. Attorney, District of Arizona, Phoenix.

CASE NUMBER: CR-05-689-PHX-NVW
RELEASE NUMBER: 2005-188

###